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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 79
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACE-KEEPING
OPERATIONS IN ALL THEIR ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 29 March 1995 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 28 March 1995 from the Minister for Foreign Affairs of the Republic of Macedonia, Mr. Stevo Crvenkovski, addressed to you.

I would kindly request your assistance in distributing this letter as a document of the General Assembly under item 79, and of the Security Council.

(Signed) Denko MALESKI
Permanent Representative

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Annex

Allow me, first of all, to express my appreciation for your understanding so far, and for all the efforts of the United Nations Security Council, as well as for your personal efforts in respect of the issue of restructuring the mandate of the United Nations Protection Force (UNPROFOR) in the Republic of Macedonia.

According to the information I have received, all possible efforts have been made in order to find an appropriate and practical solution for what has become a necessity, i.e. the separation of the UNPROFOR mandates in Croatia, Bosnia and Herzegovina and Macedonia, in respect of the essence of the mandate and of its name. I am at liberty to point out that the second issue is not of second-rate importance at all. On the contrary, just a minor and perhaps symbolic modification of the name of these forces has a clear effect in defining their mandate and makes a distinction in regard to the foundations of the spirit of the United Nations actions - adjustment to specific needs.

With this in view, we consider that the solution containing the distinction "UNPREDEP" entails the idea of emphasizing the key and most specific issue in the case of the Republic of Macedonia - preventive diplomacy and its first application in United Nations history and the practice of international relations. We believe that its uniqueness and maximum successfulness thus far deserve additional small efforts that would underline once again a key principle of individualizing global solutions.

We are convinced that essentially our views on this issue correspond to a maximum and that this request of ours pertaining to the name to be used for the United Nations forces in the Republic of Macedonia - UNPREDEP - will be met with understanding.

(Signed) Stevo CRVENKOVSKI
Minister for Foreign Affairs

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29 March 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 29 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit the text of the press release by the Ministry of Foreign Affairs of the Republic of Tajikistan on the results of the elections to the Majlis-i Oli of the Republic of Tajikistan (see annex).

In view of the interest shown by the international community in the process and results of the elections in the Republic of Tajikistan, I request you to arrange for this letter and its annex to be circulated as a document of the Security Council.

(Signed) L. KAYUMOV
Ambassador
Permanent Representative of the
Republic of Tajikistan to the
United Nations

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Annex

Press release dated 28 March 1995 from the Ministry of Foreign Affairs of Tajikistan on the results of elections to the Majlis-i Oli

On the basis of the documentation of the Central Commission on Elections and Referendums of the Republic of Tajikistan on the results of the election to the Majlis-i Oli (Parliament), the Ministry of Foreign Affairs of the Republic of Tajikistan reports the following.

A total of 2,650,267 people were included in the electoral rolls for the election of people's deputies to the Majlis-i Oli of the Republic, and 2,413,722 voters, or 91.07 per cent, participated in the voting.

For the election of people's deputies of the Republic of Tajikistan, 181 electoral districts were formed, in which there were 350 candidates on the ballot.

Candidates for people's deputies were nominated by political parties, local government organs and labour collectives.

In the course of the pre-election campaign, about 400 candidates were put forward for the 181 districts. These included 11 candidates for 9 districts in the Gorny Badakhshan autonomous region, 107 candidates for 59 districts in Leninabad region, 142 candidates for 56 districts in Hatlon region, 56 candidates for 19 districts in Dushanbe and 70 candidates for 38 districts in the districts administered by the Republic.

Candidates registered for election to the Majlis-i Oli of the Republic of Tajikistan numbered 350, and these were entered on the secret ballot forms.

Elections were held in all the electoral districts.

On 26 February 1995, people's deputies to the Majlis-i Oli of the Republic of Tajikistan were elected in 163 electoral districts. In 17 districts, in each of which there were more than two candidates, none was elected and on 12 March 1995 a further election was held.

In one electoral district, where there were two candidates and neither was elected, a further election will be held in accordance with article 48 of the Law of the Republic of Tajikistan "On elections to the Majlis-i Oli of the Republic of Tajikistan".

The Central Commission on Elections and Referendums of the Republic of Tajikistan, on the basis of article 44 of the Law on Elections, has registered all 180 of the people's deputies of the Republic of Tajikistan elected on 26 February and in the further voting of 12 March 1995.

The deputies elected include representatives of four political parties registered with the Ministry of Justice of the Republic of Tajikistan, the

People's Party, the Communist Party, the Economic Recovery Party and the Unity and Concord Party. There is a large bloc of non-party deputies.

In accordance with article 50 of the Constitution of the Republic of Tajikistan, on 27 March 1995 the Central Commission on Elections and Referendums of the Republic of Tajikistan decided to convene the first session of the Majlis-i Oli of the Republic of Tajikistan in Dushanbe on 6 April 1995.

It is proposed to submit for consideration at the first session of the Majlis-i Oli of the Republic of Tajikistan issues relating to the election of the Credentials Committee of the Parliament and the Chairman of the Majlis-i Oli and his Deputy and to the approval of the provisional rules of procedure for parliamentary sessions, etc.

Thus one of the most important steps in the political reform envisaged in the Constitution of the country adopted by the entire people has been completed - the establishment of national and local representative bodies. For the first time since the country attained independence, the people of Tajikistan have, on the basis of a multi-party system, pluralism and free expression of the citizens' will, elected deputies to the Majlis-i Oli (Parliament) of the Republic and simultaneously to the local - regional, urban and district - assemblies.

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LETTER DATED 29 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft for purposes of reconnaissance and provocation continued over the period 11 to 20 March 1995.

11 March 1995

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Dohuk, Mosul, Irbil, Zakho and Amadiyah.

(b) Southern region: 135 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Jalibah, Artawi and Busayyah.

On 11 March 1995, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1137 hours and left in the direction of Kuwait at 1330 hours.

2. The second flight entered Iraqi airspace at 1423 hours and left in the direction of Kuwait at 1545 hours.

3. The third flight entered Iraqi airspace at 1550 hours and left in the direction of Kuwait at 1647 hours.

12 March 1995

Southern region: 148 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Basra, Amarah, Busayyah, Qal'at Salih, Shatrah, Shu'aybah and Qurnah.

On 12 March 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1115 hours and left in the direction of Kuwait at 1245 hours.

2. The second flight entered Iraqi airspace at 1525 hours and left in the direction of Kuwait at 1615 hours.

13 March 1995

Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

14 March 1995

(a) Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Zakho, Dohuk and Tall Afar.

(b) Southern region: 70 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qal'at Salih, Jalibah, Artawi and Busayyah.

On 14 March 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1045 hours and left in the direction of Kuwait at 1225 hours.

2. The second flight entered Iraqi airspace at 1342 hours and left in the direction of Kuwait at 1515 hours.

15 March 1995

(a) Northern region: 4 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Zakho, Dohuk, Amadiyah, Aqrah, Mosul and Tall Afar.

(b) Southern region: 50 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Salman, Khidr, Chabaish, Qurnah and Busayyah.

At 1520, 1607 and 1816 hours on 15 March 1995, a hostile two-aircraft formation broke the sound barrier over Nasiriyah and Qal'at Salih.

16 March 1995

(a) Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Dohuk, Irbil, Zakho, Tall Afar, Amadiyah and Dukan.

(b) Southern region: 30 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Qurnah, Busayyah, Jalibah and Artawi.

17 March 1995

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Dohuk, Irbil, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 30 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Jalibah, Artawi and Basra.

On 17 March 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1100 hours and left in the direction of Kuwait at 1140 hours.

2. The second flight entered Iraqi airspace at 1355 hours and left in the direction of Kuwait at 1517 hours.

18 March 1994

Southern region: 40 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Qurnah, Amarah, Shatrah, Nasiriyah, Samawah, the area south of Najaf and the area south of Diwaniyah.

On 18 March 1995, two United States TR-1 reconnaissance aircraft flying at 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1100 and left in the direction of Kuwait at 1245 hours.

2. The second flight entered Iraqi airspace at 1415 hours and left in the direction of Kuwait at 1615 hours.

19 March 1995

Southern region: 68 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Basra, Amarah and Artawi.

On 19 March 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

1. The first flight entered Iraqi airspace at 1055 hours and left in the direction of Kuwait at 1200 hours.

2. The second flight entered Iraqi airspace at 1335 hours and left in the direction of Kuwait at 1510 hours.

20 March 1995

Southern region: 33 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qurnah, Jalibah and Artawi.

At 1350 hours on 20 March 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in areas in the south of the country and left in the direction of Kuwait at 1456 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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29 March 1995

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LETTER DATED 29 MARCH 1995 FROM THE PERMANENT REPRESENTATIVES OF PORTUGAL, THE RUSSIAN FEDERATION AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to forward herewith a joint statement of the observer countries to the Angolan peace process issued on 24 March 1995, following the meeting held in Lisbon.

We should be grateful if you could kindly arrange to have this statement circulated as a document of the Security Council.

(Signed) Madeleine K. ALBRIGHT
Permanent Representative of the
United States of America
to the United Nations

(Signed) Sergey V. LAVROV
Permanent Representative
of the Russian Federation
to the United Nations

(Signed) Pedro CATARINO
Permanent Representative of
Portugal to the United Nations

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Annex

Statement by the observer States to the Angolan peace process issued on 24 March 1995

The observer States to the Angolan peace process reviewed progress made in the implementation of the Lusaka Protocol since it came into force more than four months ago. While the pace of implementation has been uneven, they noted that the cease-fire is generally holding and that positive movement in implementing the accords has been registered in the last few days.

The observer States affirm categorically that free access by United Nations personnel to all parts of Angolan territory is a prerequisite for the United Nations Angola Verification Mission (UNAVEM III) mandate to be successfully carried out. In this regard, they note with satisfaction that UNAVEM military and police observers are being deployed to all designated team sites. Complete cooperation with UNAVEM personnel is required from the Government and the União Nacional para a Independência Total de Angola (UNITA) and will continue to be the standard by which their compliance with the Protocol will be measured. In this sense, the observers register the readiness of the Government of Angola to make tangible contributions to the UNAVEM III peace-keeping operation and encourage UNITA also to make appropriate contributions. They look forward to the rapid conclusion of a status-of-forces agreement between the Government of Angola and the United Nations.

The observer States also note with satisfaction recent statements reaffirming both sides' full commitment to peace in Angola, as well as to the expeditious deployment of the peace-keeping force. They strongly encourage the Government and UNITA to accelerate preparations for a meeting between President José Eduardo dos Santos and Mr. Jonas Malheiro Savimbi, which would send a strong message to the Angolan people and the international community of their common commitment to peace and national reconciliation. They call upon both sides to continue to engage in confidence-building measures, especially through public statements.

The observer States are in complete agreement that rigorous adherence to the provisions of the Lusaka Protocol is essential to maintain momentum in the peace process. They note with concern the violations of certain aspects of the Lusaka Protocol. These violations fuel mistrust and could undermine what has been achieved to date. The Troika reaffirms that the present peace process represents and last best hope for Angola and its conviction that there cannot be any military solution for the Angolan conflict. Angola's leaders must recognize their responsibility not to lose this opportunity for peace.

The observers recall the necessity to provide conditions for the unobstructed delivery of humanitarian assistance throughout Angola and to cooperate fully in releasing all war-related detainees through the International Committee of the Red Cross, as well as all captured foreign citizens or to provide information about their fate. They further recall the need to respect the integrity and safety of all international personnel, either public or private, operating throughout Angola.

The observer States to the Angolan peace process reaffirm their commitment to ensure that the Lusaka Protocol is implemented fairly and rigorously. They commend United Nations Special Representative, Mr. Blondin Beye's outstanding efforts in this regard. They also express the hope that sufficient funding and means, including aerial surveillance, will be available to enable UNAVEM to meet critical monitoring objectives as established in the Lusaka Protocol and relevant Security Council resolutions.

The observer States affirm that the full deployment of UNAVEM III peace-keepers is a key element of the peace process and would significantly increase prospects for the successful implementation of the Lusaka Protocol. They note that the deployment of the peace-keepers is linked to concrete actions taken by the Government and UNITA to permit the successful accomplishment of their mission. The observer Governments will be in close consultation with the Secretary-General regarding the decision on the deployment of infantry units to Angola.

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30 March 1995

ORIGINAL: ENGLISH

THE SITUATION CONCERNING WESTERN SAHARA

Report of the Secretary-General

I. INTRODUCTION

1. The present report is submitted to the Security Council in pursuance of Council resolution 973 (1995) of 13 January 1995. It covers developments since my report of 14 December 1994 (S/1994/1420). It is divided into five main sections. Sections II and III cover the identification process and other aspects of the settlement plan (S/21360 and S/22464 and Corr.1). Section IV discusses the arrangements for the deployment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) at full strength and provides an update on the activities of the Mission's military and civilian police components. Section V is devoted to the financial aspects. Section VI contains my observations.

II. IDENTIFICATION PROCESS

2. Together with monitoring and verifying the cease-fire, the identification of potential voters, which started on 28 August 1994, remains the core activity of MINURSO at present. The identification started in two centres, one in Laayoune and another in the Tindouf area. During my visit to the Mission from 25 to 29 November 1994, I urged the parties to continue cooperating with my Deputy Special Representative, Mr. Erik Jensen, so as to facilitate rapid progress in the implementation of the settlement plan.

3. By the end of 1994, a second identification centre had opened on each side, bringing the total to four. In February 1995, a new centre was opened in the town of Smara in Western Sahara and another reopened in the El-Aiun refugee camp near Tindouf. This camp had suffered the most during the autumn rainstorms and flooding. On 9 March 1995, a seventh centre was inaugurated, in the town of Dakhla in the Territory. Arrangements have been completed to establish a centre also in the Dakhla camp, some 180 kilometres from Tindouf, which will be opened as soon as the necessary technical installations can be completed.

4. As pointed out in my December report (S/1994/1420), the identification of potential voters is a complex operation. It has been agreed that identification

can take place only when two tribal leaders (sheikhs), one from each side, are present to testify. The representatives of the two parties and an observer of the Organization of African Unity (OAU) are also expected to attend. It follows that work has to be suspended when one side or the other experiences difficulties in making its sheikh available or, preferring a delay, has its sheikh fail to arrive, arrive late or leave the centre. Moreover, both sides' earlier insistence on strict reciprocity has meant that whenever, for whatever reason, identification cannot take place at a centre on one side, work is automatically suspended at a centre on the other.

5. The process of identifying each potential voter takes time. It is only through meticulous examination of material evidence and through detailed interviews with applicants, with the assistance of the sheikhs, that the identity of each individual can be convincingly established and the extent to which he or she qualifies under any of the criteria can be determined. The proceedings cannot be rushed if they are to carry conviction. In most cases, the lack of documents greatly complicates the operation. In addition to interviews, every applicant has his or her photograph and fingerprint taken and, after identification, is given a receipt. The receipt serves solely to facilitate retrieval of the relevant file; it has no intrinsic value, since voters cards will be issued only after cases have been carefully reviewed and voters lists published.

6. The degree of attention which the representatives of the two parties pay to every step of the process, their insistence on receiving from MINURSO full convocation lists in good time, their concern for every question asked and the notes that they record on every case, illustrate vividly the importance that they attach to the identification process. In a society where virtually all individuals are known and every tribal subgroup is represented on both sides, it would be obvious if people were being excluded. But to make quite sure that no applicant is prevented from coming forward, provision has also been made for individuals to present themselves at any MINURSO identification centre while the process continues. This is already occurring, but will become more important at a later stage. This painstaking and somewhat cumbersome approach is the surest way of achieving transparency, since both sides are fully informed about all aspects and any attempt by one side to control or influence the process would at once be apparent to the other.

7. On 14 December 1994, the Government of Spain forwarded important archival material to my Deputy Special Representative, at his request. This comprised 48 volumes of birth certificates, 19 volumes of marriage certificates, 11 volumes of divorce certificates and 11 volumes of death certificates, which together constitute the Registro Civil Cheranico del Sahara Occidental. These documents have been classified by MINURSO identification staff and are proving of considerable value as aids to identification, especially for doubtful cases, and for the exhaustive review of all files currently undertaken in conjunction with the observations received from the representatives of the parties.

8. From the start, however, the single greatest obstacle to identification has been the issue of tribal leaders. The settlement plan gave tribal leaders the responsibility for identifying applicants as being the persons they claim to be and as belonging to a particular tribal group (subfraction); the sheikhs were

also to provide oral testimony relevant to the eligibility criteria. Most sheikhs, elected as they were in 1973, were already of mature years at the time and many have since died or become incapacitated. There are, in consequence, a large number of subfractions, one third of the total, without a recognized tribal leader on at least one side. Until last year, this unresolved issue had been the most intractable obstacle to identification.

9. In the summer of 1994, my Deputy Special Representative proposed to the parties that the process start with those subfractions where there was a surviving and competent sheikh on each side. At the same time, he advised the parties that, whatever the survival rate, there should always be the same number of sheikhs present for each side, normally one each, during any given identification session. Both parties agreed to this proposal.

10. The Deputy Special Representative then focused on the search for a formula to deal with the other cases. The views of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) and the Government of Morocco diverged markedly. The Frente POLISARIO argued that to avoid any subsequent manipulation of the selection of sheikhs, only sheikhs elected in the Territory in 1973, or their eldest sons, should be eligible to testify. Morocco opposed the view that the 1973 list of sheikhs could not be changed. It argued that the 1973 election of sheikhs under Spanish rule was the only one ever held in the Territory, that sheikhs were traditionally co-opted and not elected, that not all Saharan sheikhs were necessarily in the Territory in 1973 and that those elected in 1973 might subsequently have been replaced by others, since their term of office was to last only five years.

11. A measure of convergence began to emerge recently. On 10 February 1995, my Deputy Special Representative addressed similar letters to the Moroccan authorities and to the Frente POLISARIO in which he set out his proposal in detail. A surviving sheikh from the 1973 election was to be preferred; then his eldest surviving son; then a candidate from the election of 1973, normally by descending number of votes received; and failing that, the party would put forward three names from which the Chairman of the Identification Commission would select one, after consultation with the other party. The three names were to be of persons from the subfraction concerned, of recognized standing in their community, of appropriate age, without any official position and themselves included in the census lists of 1974. Attached to his letters was a list of all 88 tribal subgroups (subfractions) included in the 1974 census and such information as was available to MINURSO concerning the sheikhs, sons of sheikhs and non-elected candidates from the 1973 election; in the 29 cases where no such person was known, a blank space was left for the three names to be provided by the parties.

12. In their written response of 13 February 1995, the Moroccan authorities maintained that there had been no prior commitment on their part to certain of the limitations, but they took note of further clarification offered in writing by my Deputy Special Representative on 18 February 1995. On 23 and 25 February 1995, meetings took place in Tindouf and in Laayoune with the responsible officials of the Frente POLISARIO and of the Government of Morocco respectively. At the meeting in Laayoune, the Moroccan authorities provided detailed statistical information concerning the whereabouts of all members of

the subfractions listed as resident in the Territory. Arrangements were also discussed regarding the identification centres to which those persons would come when their number locally was insufficient to warrant the deployment of tribal leaders. The Moroccan authorities undertook to make available names of candidates to replace sheikhs as required. On 26 February 1995, the Frente POLISARIO submitted a full response in writing, reiterating certain concerns and returning the list of subfractions completed with the names of persons to be considered as replacements in the absence of sheikhs.

13. As indicated in paragraph 3 above, there will soon be four centres on each side, bringing the total to eight. Sixteen identification teams are to be assigned to these eight centres. Local conditions and logistics permitting, experience has shown that two identification teams working in tandem at each centre have the capacity to process up to 150 cases each day. However, the increasing percentage of subfractions represented by 50 individuals or fewer in an area limits MINURSO's ability to achieve this figure at all centres. However, with the latest agreement on tribal representatives and the information provided by the parties, as described in the preceding paragraph, it is now realistic to expect that approximately 20,000 applicants could be processed per month at eight centres.

14. Once additional qualified staff and equipment become available, two more centres are to be established, if the parties concur in what may have to be an unbalanced arrangement. There would then be 10 centres. Provision has also been made for the deployment of five mobile teams to deal with smaller numbers in more remote places. It is estimated that as many as 25,000 persons could then be identified monthly. This, however, will require an average weekly output over two times greater than the best weekly figure yet achieved and will be contingent upon the smooth functioning of the complicated logistical arrangements and the full cooperation of both parties.

15. As of mid-March 1995, over 21,300 persons had been identified. This represents 16.5 per cent (13,473 out of 81,855) of those applicants in the Territory about whom information is fully available to MINURSO and 27.3 per cent (7,870 out of 28,831) of those in the camps in the Tindouf area. MINURSO has complete computerized information relevant to all applications received from persons to be identified in the four population centres in Western Sahara (Boujdour, Dakhla, Laayoune and Smara) and in the camps in the Tindouf area (Awsard, Dakhla, El-Aiun and Es-Smara camps). The data processing of the additional 14,568 applications received in Mauritania, in spite of the many technical problems, has also been completed.

16. The graph attached as annex I to the present report shows in schematic form the progress achieved in the number of persons identified per week since the start of identification in late August 1994. It is encouraging that since the beginning of this year progress has been steady and incremental, with the exception of one week in January and another at the end of February, when there was no identification because of public holidays on both sides and a dispute concerning a sheikh.

17. The number of OAU observers has been increased to eight. The most recent arrivals came in good time for the opening of the additional centres. The OAU

observers are assigned to follow the proceedings, the normal practice being for one observer to be present at every centre during identification. Collaboration between MINURSO and the OAU observers is very good.

III. OTHER ASPECTS RELEVANT TO THE FULFILMENT OF THE SETTLEMENT PLAN

18. The Security Council, in its resolution 973 (1995), requested me to report on my final plans for implementing all elements of the settlement plan and on the responses of the parties to them. In this context, it may be useful to recall, as in my 12 July 1994 report to the Council (S/1994/819), the main elements of the plan. During the transitional period, the United Nations is to organize and conduct a referendum in the Territory to enable the people of Western Sahara to choose between independence and integration with Morocco. To this end, there is to be a cease-fire followed by an exchange of prisoners of war, a reduction in the Moroccan troops in the Territory and confinement of the combatants of both sides to specific locations. In order to ensure that the necessary conditions exist for the holding of a free and fair referendum, the United Nations will monitor other aspects of the administration of the Territory, especially the maintenance of law and order. Following the proclamation of an amnesty, political prisoners will be released. All laws or regulations that might impede the holding of a free and fair referendum will be suspended as deemed necessary. All refugees and other Western Saharan residents outside the Territory who wish to return will be enabled to do so by the United Nations, after the latter has established their right to vote.

19. The cease-fire is already in place. The following paragraphs cover the other activities undertaken or to be undertaken in fulfilment of the plan.

Reduction of Moroccan troops in the Territory

20. In his report of 19 April 1991 on the implementation of the settlement plan (S/22464 and Corr.1), the then Secretary-General reported that Morocco was prepared to reduce its troops in the Territory to a level not exceeding 65,000 all ranks, within a period of 11 weeks from the beginning of the transitional period. Mr. Pérez de Cuéllar accepted this as an appropriate, substantial and phased reduction in accordance with the settlement proposals. My Deputy Special Representative has recently met with the Commander of the Royal Moroccan Armed Forces in the southern zone, Major-General Abdelaziz Bennani, who assured him of Morocco's preparedness to implement fully the provisions of the settlement plan relating to the reduction of Moroccan troops in the Territory, once D-Day and the start of the transitional period have been determined.

Confinement of troops to designated locations

21. Paragraph 15 of document S/22464 states that, in accordance with paragraph 56 of document S/21360, all remaining Moroccan troops will be located in static or defensive positions along the sand wall, known as the berm, with the limited exceptions mentioned in that paragraph. MINURSO military observers will monitor these troops and, towards this end, will be co-located with Moroccan subsector headquarters and with the Moroccan support and logistics

units remaining elsewhere in the Territory. MINURSO military observers will also conduct extensive patrols by land and air to ensure observance of the cease-fire and the confinement of the Moroccan troops to the designated locations. In addition, they will monitor the custody of certain arms and ammunition.

22. It will be recalled that, in accordance with the settlement plan, my Special Representative is to designate the locations to which Frente POLISARIO troops will be confined, with their arms, ammunition and military equipment. Preliminary consultations have been initiated on this issue so that I can take the necessary decisions and proceed with the arrangements that will be required in this regard. MINURSO military observers will be deployed at each of the designated locations in order to monitor the Frente POLISARIO troops.

Independent jurist and release of political prisoners and detainees

23. The settlement plan (S/21360, paras. 33 (b) and 70) specifies that an independent jurist will be appointed by the Secretary-General who, in cooperation with the parties, will take steps to ensure the release of all Saharan political prisoners and detainees before the beginning of the referendum campaign, so that they can participate freely and without restriction in the referendum. I have appointed Mr. Emmanuel Roucounas (Greece), a prominent international jurist, as the independent jurist. I hope that, with the cooperation of both parties, he can expeditiously discharge his task.

Exchange of prisoners of war

24. The settlement plan provides for an exchange of prisoners of war under the auspices of the International Committee of the Red Cross (ICRC). My Deputy Special Representative has been in contact with ICRC, which has visited prisoners of war on both sides. ICRC has stated that it is ready to start working on their release as soon as the parties are ready to do so. It remains my earnest hope that further sustained efforts will enable ICRC to achieve the release of all prisoners of war from both sides as soon as possible after the transitional period begins.

Organization of the referendum

25. The settlement plan provides for the establishment of a Referendum Commission to assist the Special Representative in the organization and conduct of the referendum. The functions of the Referendum Commission, which include measures for the referendum campaign and the actual conduct of the referendum, are specified in paragraphs 63 to 66 of document S/21360 and further detailed in paragraphs 25 to 31 of document S/22464. The Referendum Commission will absorb appropriately qualified staff of the Identification Commission, upon completion of the latter's tasks of identification and registration.

26. In my last report to the Security Council (S/1994/1420), I noted that the draft code of conduct for the referendum campaign had already been completed. It was forwarded to the two parties on 13 December 1994. The Frente POLISARIO submitted detailed comments and proposals on 31 January 1995 and the Government of Morocco on 15 February. The replies received reflect major differences

between the two sides on several issues. The United Nations Secretariat has reconciled their versions to the extent possible in order to finalize the code without undue delay.

Return of refugees, other Western Saharans and members of the Frente POLISARIO entitled to vote

27. The modalities for the repatriation of those Western Saharans who are identified as eligible to vote in the referendum and who wish to return to the Territory are described in document S/21360 (paras. 33 (c) and (d) and 72-74) and further detailed in document S/22464 (paras. 34-36). The repatriation programme forms an integral part of the MINURSO operation and is to be carried out by the Office of the United Nations High Commissioner for Refugees (UNHCR) in accordance with its mandate. UNHCR's task will be threefold: to ascertain and record the repatriation wishes of each Western Saharan as he or she is registered as a voter by the Identification Commission; to issue the necessary documentation to the members of his or her immediate family; and to establish and manage, in cooperation with MINURSO, which will provide security, the reception centres that will be established in the Territory for the returning Western Saharans.

28. A UNHCR technical team visited the mission area from 2 to 15 February 1995 in order to review the plans for the repatriation operation. It visited potential repatriation sites in the northern and southern sectors of the Territory, as well as all the refugee camps in the Tindouf area in Algeria. It also undertook a full review of the work it will carry out with the administration, civilian police and military components of MINURSO.

29. The UNHCR team estimated that the preparatory work, which has already commenced, will require six months. Repatriation would then begin shortly after the Identification Commission had finished its work, and would be completed in about 80 days, immediately before the referendum campaign. UNHCR would thereafter maintain a presence in the Territory, as necessary, in order to fulfil its monitoring role for returnees, in accordance with its internationally accepted responsibilities.

IV. ARRANGEMENTS FOR THE DEPLOYMENT OF MINURSO AT FULL STRENGTH

30. Under resolution 973 (1995), the Security Council requested me to confirm, inter alia, the arrangements with regard to the logistic, personnel and other resources required for the deployment of MINURSO at full strength. As noted in my last report, I dispatched a technical team to MINURSO in November 1994 to review these requirements. As indicated above, in February 1995 UNHCR also sent a team to the mission area to update its plans for the voluntary repatriation of refugees. On the basis of the information gathered by these missions, a preliminary logistics plan and financial implications for the deployment of MINURSO at full strength have been prepared. This plan has been closely coordinated with UNHCR's own logistic requirements, with a view to maximizing the use of resources and sharing the cost of common assets. The plan will need to be further refined as soon as a decision is made on the date for the beginning of the transitional period.

Military component

31. The current strength of MINURSO's military component, headed by the Force Commander, Brigadier-General André Van Baelen (Belgium), totals 288 personnel, comprising 240 military observers and 48 military support personnel (see annex II).

32. As noted in my previous reports, pending the fulfilment of the conditions necessary for the commencement of the transitional period, the military mandate of MINURSO remains restricted to monitoring and verifying the cease-fire, which has been in effect since 6 September 1991. MINURSO continues to receive good cooperation from the parties in regard to the maintenance of the cease-fire. During the reporting period, three minor cease-fire violations, pertaining to unauthorized movements by both parties, were observed. MINURSO military observers conduct daily patrols in all parts of the Territory, undertaking a monthly average of 600 ground and 140 aerial reconnaissance patrols in extremely harsh conditions and over great distances (see map at annex III).

33. The original military requirements of MINURSO, described in document S/22464 of 19 April 1991, consisted of a total military strength of about 1,695 (all ranks) as follows: 550 military observers; an infantry battalion of 700 (all ranks); an air support group of 110 (all ranks) to operate and maintain four fixed-wing aircraft and eight transport helicopters; a signals unit of 45 (all ranks); a medical unit of 50 (all ranks); a composite military police company of 40 (all ranks); and a logistics battalion of 200 (all ranks). These requirements have been thoroughly reviewed and it has been determined that they remain largely appropriate, although adjustments may have to be made to the size of certain units. In addition, based on the experience gained since the deployment of MINURSO, and given the conditions prevalent in Western Sahara, it is considered that an engineering unit of approximately 100 (all ranks) would also be required to perform, inter alia, the following tasks: limited mine clearing; basic infrastructure repair; and the construction and operation of water points in certain specific areas essential to MINURSO operations. Every effort will be made to include this unit within the overall military strength of 1,695 (all ranks).

Civilian police component

34. Under resolution 973 (1995), the Security Council authorized an increase in the deployed strength of the civilian police component of MINURSO from 55 to 160 observers. As of 25 March 1995, the component totalled 78 personnel from the following countries: Austria (10); Germany (5); Hungary (13); Malaysia (15); Nigeria (15); Norway (5); Togo (5); and Uruguay (10). An additional 26 civilian police observers from Ghana (15) and Togo (11) are scheduled to be deployed shortly, bringing the total strength of the component to 104. The strength of the civilian police component will be further increased to 160, as additional identification and registration centres become operational.

35. It will be recalled that, in accordance with document S/22464, the civilian police component was to total 300 observers. The Civilian Police Commissioner

has recommended that its strength be increased by 99 observers. This recommendation is being reviewed.

36. The activities of the civilian police component are currently linked to those of the Identification Commission and have expanded as the work of the Commission has increased. MINURSO civilian police observers maintain a 24-hour presence at the identification centres in order to ensure their security and to verify that no person is denied entry for the purposes of identification. The police component also provides technical assistance to the Identification Commission, as appropriate.

37. During the reporting period, the Civilian Police Commissioner, Colonel Jurgen Friedrich Reimann (Germany), completed his tour of duty with MINURSO and was replaced by Colonel Wolf-Dieter Krampe (Germany), who assumed his functions on 13 March 1995.

38. I have had preliminary consultations with Member States to ascertain their readiness to provide the military and civilian police personnel required for the deployment of MINURSO at full strength. Initial informal responses received thus far indicate that Member States will be in a position to provide most of the military and civilian police personnel required. However, offers are still awaited regarding some of the specialized units. The Secretariat will continue its consultations with potential contributing countries to ensure that contingents are made available in a timely manner and that they are deployed with all the standard basic equipment.

Civilian personnel

39. MINURSO's present authorized staff level is 251, including Professional staff (81), General Service staff (78), Field Service staff (37) and local staff (55). With the expansion of the Identification Commission under resolution 973 (1995), the number of civilian personnel considered necessary to carry out the Mission's present functions is 132 Professionals, 145 General Service, 43 Field Service and 90 local staff, totalling some 410 persons. These requirements, along with other budgetary issues, are presently under consideration by the Advisory Committee on Administrative and Budgetary Questions. The full deployment of MINURSO will probably not require additional Professional staff, for, as noted above, those presently serving with the Identification Commission will take on new functions during the transitional period. It is estimated, however, that additional General Service, Field Service and local staff will be required, particularly during the two-month period leading up to and during the referendum. Approximately 300 polling officers will also be required for two to three weeks at the time of the referendum. The Secretariat is exploring the possibility of arranging for the recruitment of United Nations Volunteers for this purpose.

Equipment requirements

40. As mentioned in previous reports, the extreme weather conditions in the mission area have taken a toll on MINURSO's equipment during the past three and a half years. In addition, MINURSO's current air-support and communications systems are inadequate for the full deployment of the Mission. These factors

have been taken into account in updating the logistics plan for full deployment. They may also have implications for the eventual level of civilian and/or military personnel required.

41. Although the logistics plan will be further refined closer to the start of the transitional period, preliminary cost estimates for the deployment of MINURSO at full strength will be provided in an addendum to the present report. As noted above, it is the intention that, to the extent possible, MINURSO will share the cost of common assets, such as water, accommodation and power, with UNHCR at those sites where MINURSO and UNHCR will be co-located. This will be taken into account in further refining the cost estimates.

V. FINANCIAL ASPECTS

42. Authorization has been granted to me, under the terms of General Assembly decision 49/466 and resolution 49/233 of 23 December 1994, to enter into a financial commitment in an amount not to exceed $17,290,100 gross ($16,130,300 net) for the maintenance of MINURSO for the period from 1 January to 31 March 1995. My report on the financing of MINURSO for the period from 1 December 1994 to 30 June 1995 and for the maintenance of the Mission on a monthly basis after 30 June 1995, including the expansion of the Identification Commission, as approved by the Council in resolution 973 (1995), has been submitted to the General Assembly for consideration at its current session.

43. The cash flow situation of the special account of MINURSO remains precarious. As of 21 March 1995, unpaid assessed contributions to it amounted to $20.3 million. Consequently, reimbursement of troop costs has been made only up to the period ending 31 August 1994. In addition, amounts are outstanding for contingent-owned equipment. In order to provide the Mission with the necessary cash flow, a total of $8.2 million has been borrowed from other peace-keeping accounts. These loans remain unpaid. The total outstanding assessed contributions for all peace-keeping operations on 21 March 1995 was $1,678.5 million.

VI. OBSERVATIONS

44. Patience and perseverance have helped to launch the identification process and to overcome the numerous problems that have arisen. Over 21,000 persons have been identified. The suspicion and mistrust that have characterized the process are gradually being dampened. However, they can easily be rekindled by those who, for motives of their own, may wish to undermine the process.

45. Less than a year ago, very few believed that the identification process would even start. Last autumn, after it began at last, the pace was such as to inspire little faith in its being completed within the foreseeable future. Now, the Security Council has adopted resolution 973 (1995), the additional resources necessary for its implementation have been promised and agreement has been reached on how identification might be carried forward. The holding of the referendum has thus become a real possibility.

46. There are currently seven identification centres, with six functioning at any one time. Plans are in hand to expand the operation further. The computerization of the applications received and, in particular, the agreement of the parties to a formula for choosing tribal leaders to replace sheikhs who are no longer living or capable offer the best prospects so far for progress towards the referendum.

47. The parties have been drawn into a new degree of engagement. At the same time, concern about the outcome has contributed to increasing nervousness. Completion of the operation will depend on the smooth functioning of the complex logistical arrangements, the ready availability of sheikhs and tribal leaders and flexibility on the part of representatives and observers. The difficulties are complicated by the vast distances, in a territory of 266,000 square kilometres, and the dispersal of the members of each tribal subgroup throughout the towns of Western Sahara and the camps near Tindouf.

48. Progress in identification will depend more than anything on the collaboration of both parties. I urge them to abandon any insistence on strict reciprocity in the number of centres and on the linkage of a centre on one side with a specific centre on the other, since the distribution of population is uneven. Nor should limits be imposed on the numbers to be identified on any given day. There should be no reluctance to permit the process to advance more expeditiously in one place than the other. A responsible official should be always available to meet with the Identification Commission to resolve difficulties as they arise.

49. It is equally important that the parties proceed expeditiously with the implementation of the other aspects of the settlement plan.

50. Morocco has indicated its willingness to proceed with the reduction of its troops in the Territory, as required by the settlement plan. It has also indicated its commitment to cooperate in implementing the other provisions relevant to the confinement of its forces. I hope that my Deputy Special Representative can similarly count on the cooperation of the Frente POLISARIO as regards the cantonment of its troops.

51. In my last report, I expressed the hope that progress achieved in the identification and registration process by 31 March 1995, would enable me to recommend 1 June 1995 as the date (D-Day) for the start of the transitional period. While the rate of identification is increasing, the progress achieved to date does not permit me to make this recommendation now. If, however, the parties make it possible to raise the rate of identification to the 25,000 per month foreseen in paragraph 14 above, and if they cooperate in resolving expeditiously the remaining issues in the settlement plan, it can be envisaged that the transitional period could begin in August 1995 and the referendum be held in January 1996.

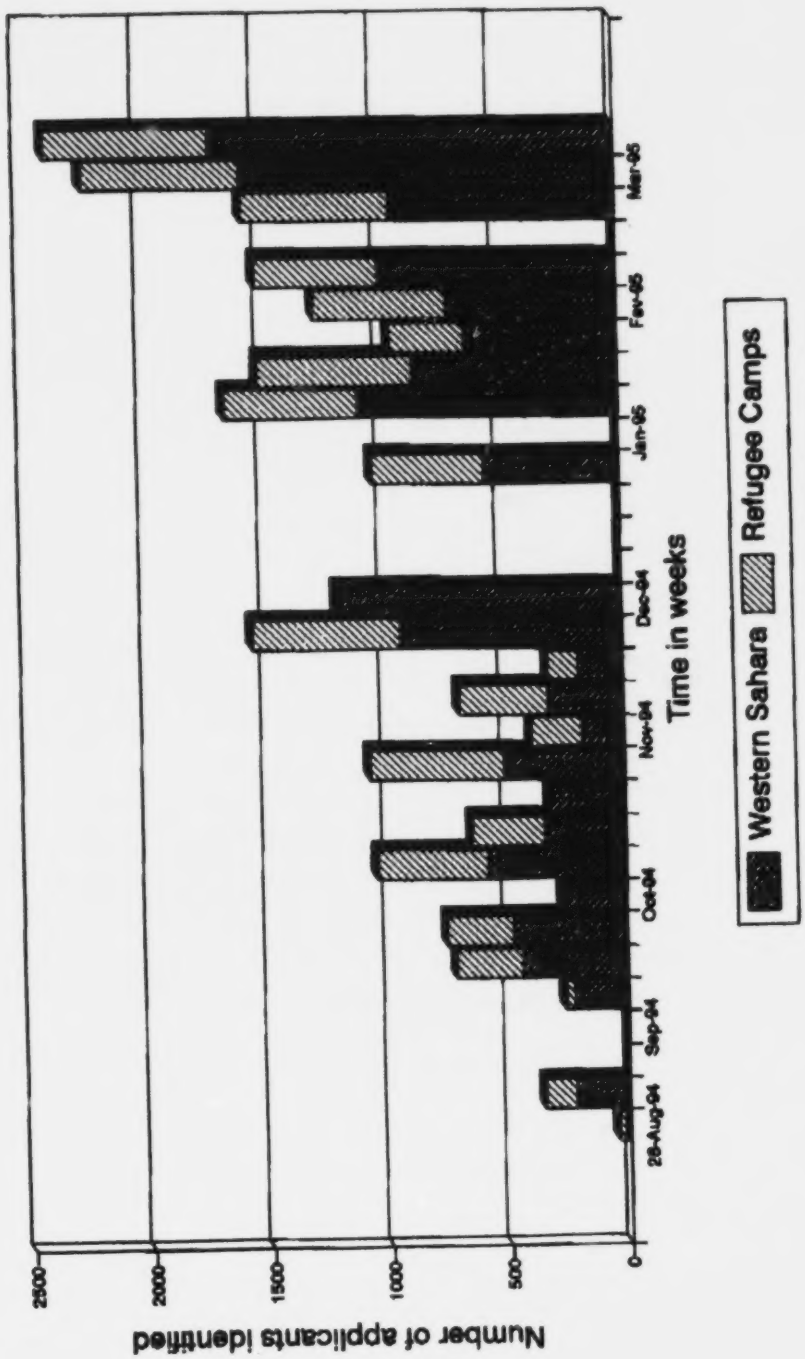
52. Finally, I would like to underline the significance of the settlement plan for the whole region. This is why I urge all concerned to maintain their commitment to its implementation and why I recommend that there be no lessening of the Council's support for MINURSO at this stage.

53. In closing, I should like to pay tribute to my Deputy Special Representative, the Force Commander, the Civilian Police Commissioner, and to all the civilian, military and police personnel of MINURSO, for their determined efforts in furthering the settlement plan.

ANNEX I

Identification figures
MINURSO

(per week)



ANNEX II

Composition of MINURSO military component

(a) Military observers

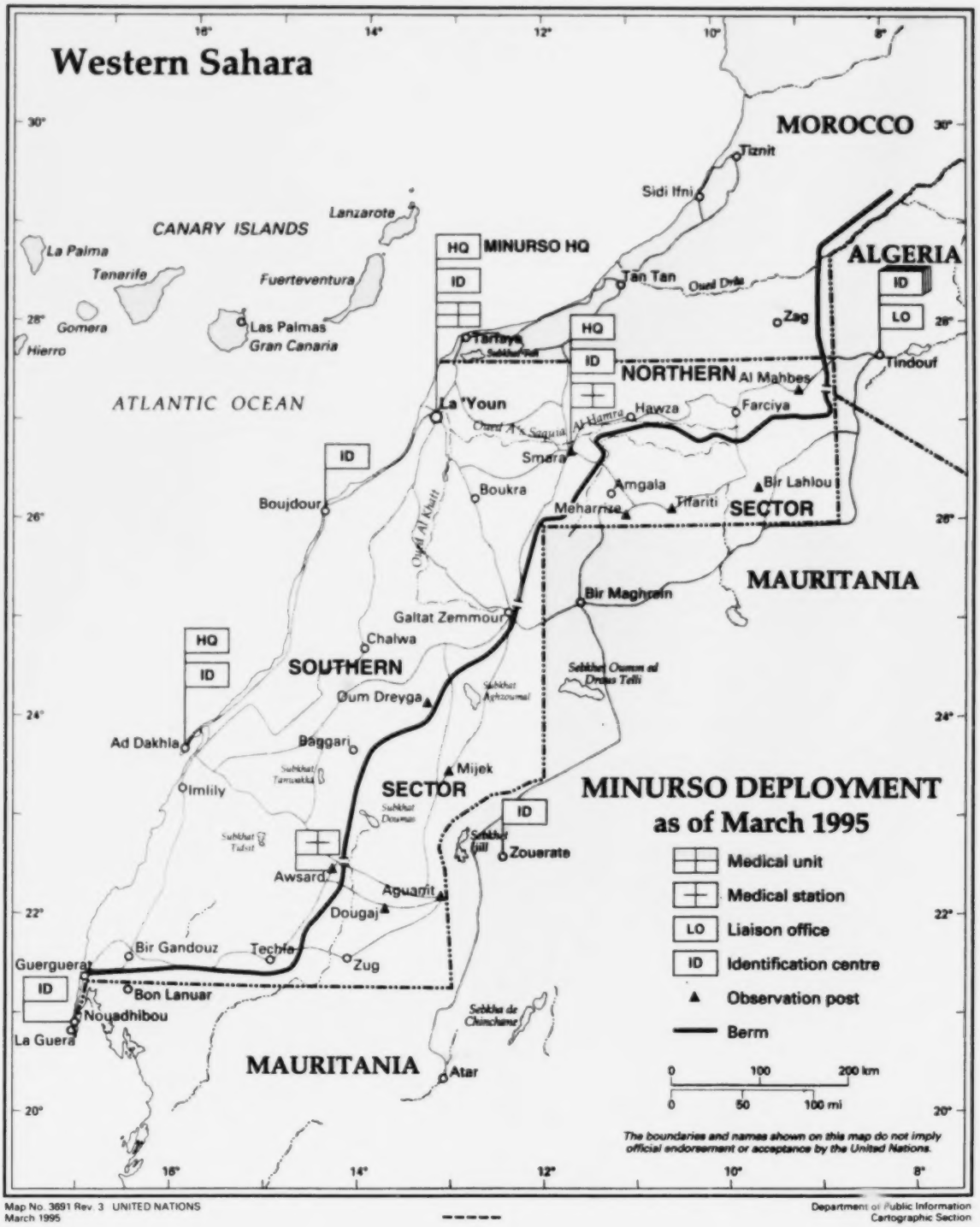
Argentina	7
Austria	4
Bangladesh	7
Belgium	1
China	20
Egypt	9
El Salvador	2
France	30
Ghana	6
Greece	1
Guinea	1
Honduras	14
Ireland	9
Italy	6
Kenya	10
Republic of Korea	2
Malaysia	15
Nigeria	4
Pakistan	4
Poland	2
Russian Federation	30
Tunisia	9
Uruguay	15
United States of America	30
Venezuela	2
Total	240

(b) Military support personnel

(i) Medical Unit: Republic of Korea	40
(ii) Clerical: Ghana	8
Total	48
Grand total	288

ANNEX III

MINURSO deployment map



Map No. 3691 Rev. 3 UNITED NATIONS
March 1995

Department of Public Information
Cartographic Section

UNITED
NATIONS

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General Assembly
Security Council

Distr.
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A/49/879
S/1995/241
29 March 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 42
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

SECURITY COUNCIL
Fiftieth year

Letter dated 29 March 1995 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

In my report of 1 March 1995 to the General Assembly and the Security Council on the peace negotiations between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) (A/48/857-S/1995/168), I referred to the negotiations on the identity and rights of indigenous people, to which much effort was devoted between 20 October and 20 December 1994, and expressed the hope that the parties would spare no effort to finalize that important agreement at the earliest possible date.

Work on this issue resumed on 2 March 1995. It concluded on 24 March 1995 in Mexico City with the finalization of the text of an agreement on identity and rights of indigenous people, which is to be signed by the parties on 31 March 1995 in Mexico City.

This is an encouraging development, which should help the peace negotiations to regain the necessary momentum towards an agreement on a firm and lasting peace. It comes as the General Assembly considers the extension of the mandate of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA).

In this respect, I should like to draw your attention to the fact that, in the final text of the agreement on identity and rights of indigenous people, the parties concur that, while the agreement as a whole will enter into force at the

signing of a final peace agreement, those aspects which relate to human rights recognized in the Guatemalan legal order, including international treaties, conventions and other instruments to which Guatemala is a party, should be implemented immediately. The parties request that implementation of these aspects of the agreement be verified by MINUGUA.

Immediately after the signing of the agreement, I shall convey its text to you and assess the implications of the request for immediate verification, on which I shall convey my recommendations to the General Assembly.

(Signed) Boutros BOUTROS-GHALI

UNITED NATIONS **S**

Security Council

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S/1995/242
31 March 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Argentina, Czech Republic, France, Germany, Italy, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia,

Having considered the report of the Secretary-General of 22 March 1995 (S/1995/222 and Corr.1),

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, including its rights and obligations in respect of control over its international trade,

Welcoming also the continuing efforts of representatives of the United Nations, the European Union, the Russian Federation and the United States of America to facilitate a negotiated solution to the conflict in the Republic of Croatia, and reaffirming its call upon the Government of the Republic of Croatia and the local Serb authorities to enter into the negotiations, urgently and without preconditions, for such a settlement, making full use of the plan presented to them by those representatives,

Recognizing that major provisions of the United Nations peace-keeping plan for the Republic of Croatia (S/23280, annex III) remain to be implemented, in particular those regarding demilitarization of the areas under the control of the local Serb authorities, the return of all refugees and displaced persons to their homes, and the establishment of local police forces to carry out their duties without discrimination against persons of any nationality in order to protect the human rights of all residents, and urging the parties to agree to their implementation,

Recognizing also that major provisions of relevant Security Council resolutions, in particular resolutions 871 (1993) and 947 (1994), still remain to be implemented,

Noting that the mandate of the United Nations Protection Force in the Republic of Croatia expires on 31 March 1995, in conformity with resolution 947 (1994),

Noting also the letter from the Permanent Representative of the Republic of Croatia of 17 March 1995 (S/1995/206) regarding his Government's views on the establishment of a United Nations peace-keeping operation in the Republic of Croatia,

Emphasizing that improved observance of human rights, including appropriate international monitoring thereof, is an essential step towards restoration of confidence between the parties and building a durable peace,

Reaffirming its determination to ensure the security and freedom of movement of personnel of United Nations peace-keeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Welcomes the report of the Secretary-General of 22 March 1995 (S/1995/222 and Corr.1), and in particular approves the arrangements in paragraph 84;

2. Decides to establish under its authority the United Nations Confidence Restoration Operation in Croatia, which shall be known as UNCRO, in accordance with paragraph 84 of the above-mentioned report for a period terminating on 30 November 1995 and requests the Secretary-General to take the measures necessary to ensure its earliest possible deployment;

3. Decides that in accordance with the report of the Secretary-General (S/1995/222 and Corr.1), and based on the United Nations peace-keeping plan for the Republic of Croatia (S/23280, annex III), relevant resolutions of the Security Council, the Cease-Fire Agreement of 29 March 1994 (S/1994/367) and the Economic Agreement of 2 December 1994 (S/1994/1375), UNCRO's mandate shall include:

(a) Performing fully the functions envisaged in the Cease-Fire Agreement of 29 March 1994 between the Republic of Croatia and the local Serb authorities (S/1994/367);

(b) Facilitating implementation of the Economic Agreement of 2 December 1994 concluded under the auspices of the Co-Chairmen of the International Conference on the Former Yugoslavia (S/1994/1375);

(c) Facilitating implementation of all relevant Security Council resolutions, including the functions identified in paragraph 72 of the above-mentioned report;

(d) Assisting in controlling, by monitoring and reporting, the crossing of military personnel, equipment, supplies and weapons, over the international borders between the Republic of Croatia and the Republic of Bosnia and Herzegovina, and the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) at the border crossings for which UNCRO is responsible, as specified in the United Nations peace-keeping plan for the Republic of Croatia (S/23280, annex III);

(e) Facilitating the delivery of international humanitarian assistance to the Republic of Bosnia and Herzegovina through the territory of the Republic of Croatia;

(f) Monitoring the demilitarization of the Prevlaka peninsula in accordance with resolution 779 (1992);

4. Requests the Secretary-General to continue his consultations with all concerned on the detailed implementation of the mandate outlined in paragraph 3 above, and to report to the Council not later than 21 April 1995 for its approval;

5. Decides that UNCRO shall be an interim arrangement to create the conditions that will facilitate a negotiated settlement consistent with the territorial integrity of the Republic of Croatia and which guarantees the security and rights of all communities living in a particular area of the Republic of Croatia, irrespective of whether they constitute in this area a majority or minority;

6. Decides that Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and the United Nations Theatre Force Commander, using the existing procedures which have been agreed with the Secretary-General, all necessary measures to extend close air support to the territory of the Republic of Croatia in defence of UNCRO personnel in the performance of UNCRO's mandate, and requests the Secretary-General to continue to report to the Council on any use of close air support;

7. Emphasizes the responsibility of the parties and others concerned in the Republic of Croatia for the security and safety of UNCRO and in this context demands that all parties and others concerned refrain from any acts of intimidation or violence against UNCRO;

8. Calls upon the Government of the Republic of Croatia and the local Serb authorities to refrain from the threat or use of force and to reaffirm their commitment to a peaceful resolution of their differences;

9. Invites the Secretary-General to report as appropriate and not less than every four months on progress towards a peaceful political settlement and the situation on the ground including UNCRO's ability to implement its mandate as described above, and undertakes in this connection to examine without delay any recommendations that the Secretary-General may make in his reports and adopt appropriate decisions;

10. Calls upon Member States to consider favourably requests by the Secretary-General for necessary assistance to UNCRO in the performance of its mandate;

11. Stresses the importance of the necessary arrangements, including agreements on the status of forces and other personnel, being concluded by the Republic of Croatia, calls upon it to agree to such arrangements without delay, and requests the Secretary-General to inform the Council of progress on this issue in the report mentioned in paragraph 4 above;

12. Urges the Government of the Republic of Croatia to provide suitable radio broadcasting frequencies and television broadcasting slots at no cost to the United Nations as described in paragraphs 47 to 51 of the report of the Secretary-General of 22 March 1995;

13. Decides to remain seized of the matter.

UNITED
NATIONS

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Security Council

Distr.
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S/1995/243
31 March 1995
ENGLISH
ORIGINAL: ENGLISH AND
FRENCH

Argentina, Czech Republic, France, Germany, Italy, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia and reaffirming in this context its resolution 947 (1994) of 30 September 1994 on the mandate of the United Nations Protection Force (UNPROFOR) and subsequent relevant resolutions,

Having considered the report of the Secretary-General of 22 March 1995 (S/1995/222 and Corr.1),

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia, ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina,

Welcoming the continuing efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia,

Welcoming also the efforts of Member States, in particular those of the Contact Group, and emphasizing the utmost importance of the work of the Contact Group in the overall peace process in the area,

Welcoming the acceptance by the Government of the Republic of Bosnia and Herzegovina of the Contact Group peace plan,

Welcoming also the agreements between the Bosnian parties on a cease-fire and on the complete cessation of hostilities in the Republic of Bosnia and Herzegovina concluded on 23 December 1994 and 31 December 1994 (S/1995/8), and the essential role UNPROFOR plays in implementation of these agreements, and stressing the importance it places thereupon,

Wishing to encourage UNPROFOR's efforts, as part of its activities to facilitate an overall settlement of the conflict in the Republic of Bosnia and Herzegovina, and as detailed in paragraphs 30 to 32 of the above-mentioned report of the Secretary-General (S/1995/222 and Corr.1), to help the parties implement the Washington agreements regarding the Federation of Bosnia and Herzegovina,

Recognizing the need for Member States to take appropriate steps to enhance the capacity of UNPROFOR in the Republic of Bosnia and Herzegovina to execute its mandate as set out in the relevant resolutions of the Security Council, including providing the Secretary-General with all the resources authorized by previous resolutions of the Security Council,

Reiterating the importance of maintaining Sarajevo, the capital of the Republic of Bosnia and Herzegovina, as a united city and a multicultural, multi-ethnic and pluri-religious centre, and noting in this context the positive contribution that agreement between the parties on the demilitarization of Sarajevo could make to this end, to the restoration of normal life in Sarajevo, and to achieving an overall settlement, consistent with the Contact Group peace plan,

Noting that UNPROFOR plays an essential role in preventing and containing hostilities thus creating the conditions for achieving an overall political settlement, and paying tribute to all UNPROFOR personnel, especially those who have given their lives for the cause of peace,

Noting also that the mandate of UNPROFOR expires on 31 March 1995, in conformity with resolution 947 (1994),

Noting further the letter of 29 March 1995 from the Permanent Representative of the Republic of Bosnia and Herzegovina (S/1995/245),

Noting also the letter from the Permanent Representative of the Republic of Croatia of 17 March 1995 (S/1995/206) regarding his Government's views on the continued presence of UNPROFOR in the Republic of Croatia,

Paying tribute to the UNPROFOR personnel in the performance of the mandate of UNPROFOR, in particular in assisting the delivery of humanitarian assistance and monitoring the cease-fires,

Emphasizing that improved observance of human rights, including appropriate international monitoring thereof, is an essential step towards restoration of confidence between the parties and building a durable peace,

Reaffirming its determination to ensure the security of UNPROFOR and its freedom of movement for all its missions, and to these ends, acting under Chapter VII of the Charter of the United Nations, as regards UNPROFOR in the Republic of Croatia and in the Republic of Bosnia and Herzegovina,

1. Welcomes the report of the Secretary-General of 22 March 1995 (S/1995/222 and Corr.1), and in particular approves the arrangements contained in paragraph 84;

2. Decides to extend UNPROFOR's mandate in the Republic of Bosnia and Herzegovina for an additional period terminating on 30 November 1995 and further decides that all previous relevant resolutions relating to UNPROFOR shall continue to apply;

3. Authorizes the Secretary-General to redeploy before 30 June 1995 all UNPROFOR personnel and assets from the Republic of Croatia with the exception of those whose continued presence in the Republic of Croatia is required for UNCRO or for the functions referred to in paragraphs 4 and 5 below;

4. Decides that UNPROFOR shall continue to perform fully the functions envisaged in the implementation of the Cease-Fire Agreement of 29 March 1994 (S/1994/367) and the Economic Agreement of 2 December 1994 (S/1994/1375) between the Republic of Croatia and the local Serb authorities and all relevant Security Council resolutions, including the functions identified in paragraph 72 of the report of the Secretary-General of 22 March 1995, and to facilitate the delivery of international humanitarian assistance to the Republic of Bosnia and Herzegovina through the territory of the Republic of Croatia until the effective deployment of UNCRO or 30 June 1995, whichever is sooner;

5. Decides that UNPROFOR shall retain its existing support structures in the Republic of Croatia including the operation of its headquarters;

6. Emphasizes the responsibility of the parties and others concerned in the Republic of Croatia and the Republic of Bosnia and Herzegovina for the security and safety of UNPROFOR and in this context demands that all parties and others concerned refrain from any acts of intimidation or violence against UNPROFOR;

7. Reiterates the importance it attaches to full compliance with the agreements between the Bosnian parties on a cease-fire and on a complete cessation of hostilities in the Republic of Bosnia and Herzegovina; calls upon them to agree to a further extension and implementation of these agreements beyond 30 April 1995 and to use that period to negotiate an overall peaceful settlement on the basis of the acceptance of the Contact Group peace plan as a starting point; and further calls upon the Bosnian Serb party to accept this;

8. Calls upon Member States to consider favourably requests by the Secretary-General for necessary assistance to UNPROFOR in the performance of its mandate;

9. Calls on all parties and others concerned to comply fully with all Security Council resolutions regarding the situation in the former Yugoslavia to create the conditions that would facilitate the full implementation of UNPROFOR's mandate;

10. Notes with satisfaction the progress made in the discussions between the Government of the Republic of Bosnia and Herzegovina and the United Nations referred to in paragraph 49 of the report of the Secretary-General of 22 March 1995, and urges the Government of the Republic of Bosnia and Herzegovina to provide suitable radio broadcasting frequencies and television

broadcasting slots at no cost to the United Nations for the purposes described in paragraphs 47 to 51 of that report;

11. Requests the Secretary-General to keep the Council regularly informed on progress with regard to the implementation of UNPROFOR's mandate and to report, as necessary, on any developments on the ground, the attitude of the parties and other circumstances affecting the mandate of the Force, and in particular to report within eight weeks of the adoption of this resolution taking into account, inter alia, the concerns raised by the members of the Council and issues raised by the Government of the Republic of Bosnia and Herzegovina;

12. Urges the Government of the Republic of Bosnia and Herzegovina to implement fully the provisions of the status of forces agreement of 15 May 1993 between that Government and the United Nations;

13. Decides to remain seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/244
30 March 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Argentina, Czech Republic, France, Germany, Italy, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its resolution 795 (1992) and all subsequent relevant resolutions,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

Recalling its concern about possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory,

Welcoming the positive role played by the United Nations Protection Force (UNPROFOR) in the former Yugoslav Republic of Macedonia, and paying tribute to the personnel of UNPROFOR in the performance of its mandate in the former Yugoslav Republic of Macedonia,

Noting the report of the Secretary-General of 22 March 1995 (S/1995/222 and Corr.1),

1. Welcomes the report of the Secretary-General of 22 March 1995, and in particular approves the arrangements contained in paragraph 84;

2. Decides that UNPROFOR within the former Yugoslav Republic of Macedonia shall be known as the United Nations Preventive Deployment Force (UNPREDEP) with the mandate set out in paragraph 85 of the report of the Secretary-General of 22 March 1995, and that the mandate of UNPREDEP shall continue for a period terminating on 30 November 1995;

3. Urges UNPREDEP to continue the current cooperation between UNPROFOR and the mission of the Organization for Security and Cooperation in Europe;

4. Calls upon Member States to consider favourably requests by the Secretary-General for necessary assistance to UNPREDEP in the performance of its mandate;

5. Requests the Secretary-General to keep the Council regularly informed of any developments on the ground and other circumstances affecting the mandate of UNPREDEP;

6. Decides to remain seized of the matter.

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/49/880
S/1995/245
30 March 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN
BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 29 March 1995 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

Pursuant to President Alija Izetbegovic's letter of 22 March 1995 to you, we would highlight the following considerations as part of a review of the United Nations mandated operations in the Republic of Bosnia and Herzegovina. Although we would not want to limit such a comprehensive review to just these points, we do assess that they should be addressed with the highest urgency while necessitating no changes in the current Security Council authorization:

1. The "lifeline" to Sarajevo, the 'blue route", transects exclusively Government-controlled territory and a few hundred metres of runway that is controlled by the United Nations under its mandate. Yet, this lifeline is closed at the demand of Serbian forces on the theory that the Pale Serbs must be in agreement with its being opened. This runs counter not only to logic, but also to existing Security Council mandates including resolutions 752 (1992) and 824 (1993), 836 (1993) and 900 (1994) (which specially designate Sarajevo as a "safe area" to be free of this type of strangulation). We therefore request that the United Nations forces assume responsibility, as is consistent with their mandate, to keep the blue route open regardless of Serbian agreement thereto. The Pale Serbs cannot be allowed to maintain their stranglehold on the city.

2. The key access road from Sarajevo to Sarajevo airport has been interrupted by the deployment of a Serbian checkpoint at a key intersection. This is inconsistent with Security Council resolutions 758 (1992) and 761 (1992) on opening and placing the airport under United Nations control as well as the agreement signed on that point by the Government of the Republic of Bosnia and Herzegovina with the United Nations as well as the Pale Serbs with the United Nations.

3. The Security Council on numerous occasions, and in particular in its resolutions 824 (1993), 836 (1993), 900 (1994), 913 (1994) and others, has stressed the importance it places on and has given the necessary authority for fully lifting the siege of Sarajevo and maintaining the city's centuries old role as a multi-ethnic, united, integrated and free city. Unfortunately, almost three years after it was initially shelled, Sarajevo remains besieged with its own citizens subjected to deprivation, suffering, sniping, shelling and murder despite the numerous resolutions to the contrary and its status as a safe area and exclusion zone. The committed efforts of Mr. William Eagleton, the Secretary-General's Special Coordinator, various non-governmental organizations and national organizations and the Government of the Republic of Bosnia and Herzegovina to proceed with the rebuilding and reconciliation of the city, as demanded by resolutions 900 (1994) and 913 (1994), have been thwarted by the Serbian forces and the continuing tolerance of this siege.

4. The civilian populations of the Srebrenica, Zepa, Gorazde and Bihac safe areas are systematically deprived of the essentials of life by the besieging Serbian forces. According to the United Nations own reports, 20 per cent of the population of Bihac is at risk of starvation. Furthermore, while some food is allowed to pass, the Serbians have resorted to denying selectively certain less prominent essentials such as vitamins, mineral nutrients, medicines or even soap and toothpaste. As a further cruel example of systematic deprivation, Srebrenica's only surgeon, a non-national, is denied return to the town despite commitments to the contrary. There is a strategy of committing genocide by the pruning method. The Serbians hope to accomplish their crime by cutting down snippets of human life not noticeable to an increasingly disengaged international community until the entire tree of human life in places like Srebrenica has been eradicated.

5. Despite numerous reminders about the Geneva Conventions and calls upon Serbian military and political leadership to halt and reverse their practice of ethnic cleansing, these crimes continue as cited by your report of 22 March 1995, abated only by the rapidly decreasing number of potential human victims.

6. Once again, according to your report of 22 March 1995, the so-called Krajina Serbs continue to violate our international border as well as the status of the United Nations protected area zones within the Republic of Croatia by their direct involvement in the assault upon Bihac. We request that modalities be established to cease these violations of our territorial integrity and sovereignty emanating from across our international border from areas ostensibly under United Nations control.

7. As outlined already in our letter of 28 March 1995, the recent Serbian deployment of new anti-aircraft systems through much of the Republic of Bosnia and Herzegovina is a direct challenge to the United Nations and its mandate in our Republic and a threat to those individuals executing that mandate. It is the most serious factor causing the greatest deterioration in the humanitarian, military and political environment in our Republic at least over the last year.

We continue to believe that the above most urgent issues should be addressed immediately as the initial part of a more comprehensive review. We

remain of the firm view that modalities and a time-frame must be established for this review. We would propose that the Secretary-General issue a report to the Council within six weeks regarding the issues raised herein as the initial part of the comprehensive review.

Finally, as we seek to envision a more effective United Nations Protection Force (UNPROFOR), we wish to express our appreciation to the United Nations-mandated personnel and humanitarian forces already on the ground for their well-intentioned and directed efforts within the Republic of Bosnia and Herzegovina as well as to pay tribute in particular to those who have given their lives in the performance of their duties.

May I ask for your kind assistance in circulating this letter as a document of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Muhamed SACIRBEY
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/246
30 March 1995

ORIGINAL: ENGLISH

LETTER DATED 30 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the letter dated 30 March 1995 from the Deputy Prime Minister and Minister for Foreign Affairs, Mr. Mate Granić, addressed to you.

I would kindly request your assistance in distributing the present letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

95-09253 (E) 300395 310395

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Annex

Letter dated 30 March 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

Concerning the proposed draft resolution contained in document S/1995/242, co-sponsored by the delegations of Argentina, the Czech Republic, France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as revised by the co-sponsors on 30 March 1995 at 1.10 p.m., I have the honour to inform you that the Republic of Croatia maintains its position, as described in my letter to the Secretary-General dated 27 March 1995 (S/1995/223) with regard to the name of the possible future peace-keeping operation on the territory of the Republic of Croatia.

In the event that the co-sponsors do not allow the official name of the operation to be "United Nations Confidence Restoration Operation in Croatia (UNCRO)", the Republic of Croatia will not give its consent for the establishment of the new force.

In this regard I have the honour to draw your attention to the fact that the consent of Croatia for the mandate and presence of the United Nations Protection Force (UNPROFOR) will be withdrawn tomorrow, 31 March 1995, at 1700 hours New York time in accordance with our position expressed in my letter dated 18 January 1995 addressed to your predecessor (S/1995/56).

(Signed) Mate GRANIĆ

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/50/128
S/1995/247
30 March 1995
ENGLISH
ORIGINAL: ENGLISH AND
FRENCH

GENERAL ASSEMBLY
Fiftieth session
Item 149 of the preliminary list*
MEASURES TO ELIMINATE
INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 30 March 1995 from the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of a tripartite declaration issued by our three Governments on 30 March 1995 concerning the implementation of Security Council resolutions 731 (1992) of 21 January 1992, 748 (1992) of 31 March 1992 and 833 (1993) of 11 November 1993 by the Libyan Arab Jamahiriya.

We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 149 of the preliminary list, and of the Security Council.

(Signed) Jean-Bernard MÉRIMÉE
Permanent Representative of France
to the United Nations

(Signed) David H. A. HANNAY
Permanent Representative of the
United Kingdom of Great Britain
and Northern Ireland to the
United Nations

(Signed) Madeleine K. ALBRIGHT
Permanent Representative of
the United States of America
to the United Nations

* A/50/50.

95-09245 (E) 300395 310395

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Annex

Declaration dated 30 March 1995 by the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America on the occasion of the ninth review of sanctions imposed on the Libyan Arab Jamahiriya by the Security Council in its resolution 748 (1992) of 31 March 1992

France, The United Kingdom of Great Britain and Northern Ireland and the United States of America reaffirm their joint declaration of 5 August 1994 (S/1994/938) and their common determination to bring to justice those responsible for the bombings of flights Pan Am 103 and UTA 772.

The three States regret that the Libyan Arab Jamahiriya has still not satisfied the French judicial authorities with respect to the bombing of flight UTA 772.

They are committed to full and comprehensive enforcement of the sanctions imposed on the Libyan Arab Jamahiriya.

They also reaffirm that the Libyan Arab Jamahiriya must commit itself definitively to ceasing all forms of terrorist activity and all assistance to terrorist groups and demonstrate, by concrete actions, its renunciation of terrorism.

They reiterate that, in accordance with the Security Council resolutions, the Government of the Libyan Arab Jamahiriya must ensure the appearance of the two Lockerbie suspects in the United Kingdom or United States, where they will receive a fair trial. The three States reaffirm that alternative proposals for trial in The Hague or elsewhere do not meet the Security Council requirements and are therefore unacceptable.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/248
30 March 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a list giving particulars of the continued violations of the cease-fire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 23 February and 18 March 1995.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-09265 (E) 310395 310395 030495

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Annex

Iranian violations of the cease-fire and the 1991 Tehran agreement, 23 February-18 March 1995

1. 23 February 1995

At 1630 hours the foreign ship Capriola, which was being towed by the Ukrainian tug Barkut, was detained by the Iranian side near buoy 12.

2. 23 February 1995

At 2100 hours the Indian launch Shakib was attacked and robbed near the Ra's al-Bayshah area.

3. 2 March 1995

At 1000 hours three white Iranian boats began to patrol the Karun river from coordinates 04970 to coordinates 071622 in the Shahiniyah area. At 1020 hours the patrol left for its point of departure.

4. 2 March 1995

At 1400 hours 10 individuals from the Iranian side were observed strengthening the positions at coordinates 514501 inside the area of separation opposite the Fakkah post.

5. 3 March 1995

Five individuals from the Iranian side carrying shovels were observed strengthening the Iranian position at coordinates 503533 inside the area of separation opposite the Fakkah post.

6. 4 March 1995

At 1018 hours an Iranian engineering unit consisting of five Poclains, two bulldozers and three dump-trucks was observed working on the bank of the Shatt al-Arab at coordinates 15715.

7. 5 March 1995

At 1130 hours an Iranian patrol boat with four persons in military uniform on board approached an Iraqi fishing boat in the Sayhan area at coordinates 0958.

8. 5 March 1995

At 1700 hours an Iranian boat with seven persons in black clothing on board proceeded to photograph the Iraqi shore of the Shatt al-Arab from the city of Al-Faw to the end of the Ra's al-Bayshah promontory.

9. 6 March 1995

At 0930 hours an Iranian engineering unit was seen opposite Umm al-Rasas island at coordinates 40705.

10. 6 March 1995

At 1200 hours the Iranian side proceeded to build a 3-metre-high observation post opposite the Ziyadiyah area at coordinates 195559.

11. 7 March 1995

At 0230 hours a group of some 10 Iranians tried to cross from the Iranian position at coordinates 920753 (Kharnubiyah) towards Iraqi territory.

12. 8 March 1995

At 1130 hours a tank equipped for mine-clearance, a military Land-Rover carrying two soldiers and a civilian Land-Rover carrying two civilians came to a halt at coordinates 971335 (Shahlat al-Aghwath). The tank detonated the mines and then returned to Iranian territory with the other two vehicles.

13. 15 March 1995

At 0950 hours a helicopter flying at medium altitude was seen coming from the Iranian rear. It disappeared behind the hills at coordinates 518529 opposite the Fakkah post.

14. 15 March 1995

At 1810 hours a vehicle carrying a machine-gun approached and took up a position in the boundary area at coordinates 4305. Eight Iranians then proceeded to dig positions and a trench in the same area, inside the area of separation.

15. 17 March 1995

At 1530 hours the Iranian side proceeded to man one of the old Iranian positions opposite the Iraqi units at coordinates 542462 to the south of Fakkah and opposite the Duwayrij border post. Four tents were pitched and a large hut erected and roofed with corrugated iron sheets. Three vehicles were seen. Then a PKC medium machine-gun was installed inside the area of separation.

16. 17 March 1995

At 0800 hours the Iranian side opened a new position flying a white flag and manned by eight soldiers armed with a GC weapon at coordinates 175577.

17. 18 March 1995

At 0900 hours an Iranian fighter aircraft coming from Abadan towards Ra's al-Bayshah at high altitude violated Iraqi airspace. It subsequently returned to Iranian airspace.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/249
31 March 1995

ORIGINAL: ENGLISH

LETTER DATED 30 MARCH 1995 FROM THE REPRESENTATIVES OF THE RUSSIAN FEDERATION AND SWEDEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

At the request of the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe, we have the honour to transmit their letter of 21 March 1995 addressed to you (see annex)

Please have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) S. LAVROV
Ambassador
Permanent Representative
of the Russian Federation
to the United Nations

(Signed) H. SALANDER
Ambassador
Chargé d'affaires a.i.
of the Permanent Mission of Sweden
to the United Nations

95-09348 (E) 310395 030495

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Annex

[Original: English and Russian]

Letter dated 21 March 1995 from the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe addressed to the President of the Security Council

Pursuant to paragraph 8 of United Nations Security Council resolution 884 (1993), we wish, after consultations with the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), to make a report on efforts made in the framework of the Minsk Process for the peaceful settlement of the Nagorny Karabakh conflict, in particular since the decision by the CSCE Summit at Budapest on 6 December 1994 concerning the intensification of CSCE action in relation to the Nagorny Karabakh conflict (see appendix).

In accordance with that decision, a Co-Chairmanship for the OSCE Minsk Process has been established between Sweden and the Russian Federation. We, Ambassadors Jan Eliasson and Valentin Lozinsky, have been appointed Co-Chairmen of the OSCE Minsk Conference by the OSCE Chairman-in-Office. It is our firm belief that the establishment of a Co-Chairmanship for the Minsk Process constitutes an important step towards a negotiated solution of the conflict. A draft mandate for the Co-Chairmanship has been agreed between the Co-Chairmen.

The cease-fire in effect since 12 May 1994 is still largely being respected. The cease-fire has subsequently been reconfirmed on a number of occasions. The parties are committed to respect it until a political agreement on the cessation of the armed conflict has been attained. through the efforts of the Co-Chairmanship the parties have, through an exchange of letters, committed themselves, from 6 February 1995, to mutual obligations to further strengthen the cease-fire through direct contacts and other confidence-building measures to avoid escalation of incidents.

During a recent visit to the region, the representatives of the Co-Chairmanship of the Minsk Conference presented an agreed basis for further negotiations to the parties to the conflict in accordance with the decision at the Budapest Summit. The agreed basis was thereafter discussed at a round of negotiations between the parties held in Moscow in February under the auspices of the Co-Chairmanship of the Conference. Negotiations are to continue at Stockholm, but direct substantive contacts between the parties are necessary in order to facilitate progress.

The issue of civilian detainees and prisoners of war has been given particular attention by the Co-Chairmanship. Conditions for the exchanges of civilian detainees and prisoners of war were discussed in particular during the recent visit to the region by the representatives of the Co-Chairmanship. A meeting, within the framework of the Minsk Group, was held in Moscow on 11 February, with the presence of, inter alia, representatives from the International Committee of the Red Cross (ICRC) and the Office of the United Nations High Commissioner for Refugees (UNHCR). At this meeting, a preliminary

agreement was reached for the immediate release of all persons wounded, sick and over 50 years of age. The parties also reconfirmed their earlier commitments to release all women and minors under 16 years of age. The parties also agreed to establish a special working group for these issues under the auspices of ICRC and with the support of the Co-Chairmanship. We intend to follow up on these and other confidence-building measures, in close cooperation with ICRC, UNHCR and other international humanitarian organizations and agencies.

We foresee the finalization, in the near future, of the agreement to establish an OSCE presence in the region in the form of a personal representative of the Chairman-in-Office and field representatives.

It remains the view of the parties that a peace-keeping operation will be necessary to give a maximum guarantee to the political agreement. the High-level Planning Group foreseen by the Budapest Summit decision has been established and is actively working out recommendations for the OSCE Chairman-in-Office on planning and preparations for an OSCE peace-keeping force. The Head of the High-level Planning Group, General Heikki Vilén, participated in the recent visit of the Co-Chairmanship to the region.

We deem it of great importance that the peace-keeping operation be reliable and assure the parties and the contributing States of a close linkage with the political process as well as of the speedy achievement of an effective comprehensive settlement. Continuous political support from the United Nations Security Council for the possible deployment of an OSCE peace-keeping force as well as United Nations technical advice and expertise would be necessary if such an operation is carried out. The United Nations assistance to the High-level Planning Group in its work is much appreciated.

Negotiations between the conflicting parties and a meeting of the Minsk Group scheduled at Stockholm from 20 to 24 March were postponed because the positions of conflicting parties did not ensure the necessary conditions for constructive talks. The Co-Chairmanship intends in the near future to undertake a visit to the region for consultations with the parties. After this visit and consultations within the Minsk Group and with other OSCE member States at the forthcoming meeting of the OSCE Senior Council, we intend to provide the Security Council with a further substantive report on the peace process in the Nagorny Karabakh conflict.

(Signed) Jan ELIASSON
Co-Chairman of the
OSCE Minsk Conference

(Signed) Valentin LOZINSKY
Co-Chairman of the
OSCE Minsk Conference

Appendix

[Original: English and Russian]

Regional issues

Intensification of CSCE action in relation to the Nagorny Karabakh conflict

1. Deploring the continuation of the conflict and the human tragedy involved, the participating States welcomed the confirmation by the parties to the conflict of the cease-fire agreed on 12 May 1994 through the mediation of the Russian Federation in cooperation with the CSCE Minsk Group. They confirmed their commitment to the relevant resolutions of the United Nations Security Council and welcomed the political support given by the Council to CSCE efforts towards a peaceful settlement of the conflict. To this end they called on the parties to the conflict to enter into intensified substantive talks, including direct contacts. In this context, they pledged to redouble the efforts and assistance by CSCE. They strongly endorsed the mediation efforts of the CSCE Minsk Group and expressed appreciation for the crucial contribution of the Russian Federation and the efforts by other individual members of the Minsk Group. They agreed to harmonize these into a single coordinated effort within the framework of CSCE.

2. To this end, they have directed the Chairman-in-Office, in consultation with the participating States and acting as soon as possible, to name co-chairmen of the Minsk Conference to ensure a common and agreed basis for negotiations and to achieve full coordination in all mediation and negotiation activities. the Co-Chairmen, guided in all of their negotiating efforts by CSCE principles and an agreed mandate, will jointly chair meetings of the Minsk Group and jointly report to the Chairman-in-Office. They will regularly brief the Permanent Council on the progress of their work.

3. As a first step in this effort, they directed the Co-Chairmen of the Minsk Conference to take immediate steps to promote, with the support and cooperation of the Russian Federation and other individual members of the Minsk Group, the continuation of the existing cease-fire and, drawing upon the progress already achieved in previous mediation activities, to conduct speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict for all parties and permit the convening of the Minsk Conference. They further requested the Co-Chairmen of the Minsk Conference to continue working with the parties towards further implementation of confidence-building measures, particularly in the humanitarian field. They underlined the need for participating States to take action, both individually and within relevant international organizations, to provide humanitarian assistance to the people of the region with special emphasis on alleviating the plight of refugees.

4. They agreed that, in line with the view of the parties to the conflict, the conclusion of the agreement mentioned above would also make it possible to

deploy multinational peace-keeping forces as an essential element for the implementation of the agreement itself. They declared their political will to provide, with an appropriate resolution from the United Nations Security Council, a multinational CSCE peace-keeping force following agreement among the parties for cessation of the armed conflict. They requested the Chairman-in-Office to develop as soon as possible a plan for the establishment, composition and operation of such a force, organized on the basis of chapter III of the Helsinki Document of 1992 and in a manner fully consistent with the Charter of the United Nations. To this end the Chairman-in-Office will be assisted by the Co-Chairmen of the Minsk Conference and by the Minsk Group, and will be supported by the Secretary-General; after appropriate consultations he will also establish a high-level planning group at Vienna to make recommendations on, inter alia, the size and characteristics of the force, command and control, logistics, allocation of units and resources, rules of engagement and arrangements with contributing States. He will seek the support of the United Nations on the basis of the stated United Nations readiness to provide technical advice and expertise. He will also seek continuing political support from the United Nations Security Council for the possible deployment of a CSCE peace-keeping force.

5. On the basis of such preparatory work and the relevant provisions of chapter III of the Helsinki Document of 1992, and following agreement and a formal request by the parties to the Chairman-in-Office through the Co-Chairmen of the Minsk Conference, the Permanent Council will take a decision on the establishment of the CSCE peace-keeping operation.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/250
30 March 1995

ORIGINAL: ENGLISH

LETTER DATED 27 MARCH 1995 FROM THE SECRETARY-GENERAL OF THE ORGANIZATION OF AFRICAN UNITY ADDRESSED TO THE SECRETARY-GENERAL

I wish to inform you that the Council of Ministers of the Organization of African Unity, meeting at its sixty-first ordinary session in Addis Ababa from 23 to 27 January 1995, adopted resolution CM/Res.1566 (LXI) on the crisis between the Great Libyan Arab Jamahiriya and the United States of America, the United Kingdom and France.

I have the honour to forward to you the text of the said resolution and, while drawing specially your attention to paragraphs 4 and 6, request you to circulate the resolution as a document of the Security Council.

(Signed) Salim Ahmed SALIM

95-09360 (E) 310395 030495

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Annex

[Original: Arabic, English and French]

CM/Res.1566 (LXI)

Resolution on the crisis between the Great Libyan Arab Jamahiriya and the United States of America, the United Kingdom and France

The Council of Ministers of the Organization of African Unity, meeting in its sixty-first ordinary session in Addis Ababa, Ethiopia, from 23 to 27 January 1995,

Having considered the report of the Secretary-General on the dispute between the Great Socialist People's Libyan Arab Jamahiriya and the United States of America, the United Kingdom and France, and, having also heard the statement of the head of the Libyan delegation and the ensuing interventions on the dispute between Libya and the three Western countries,

Guided by the principles and objectives of the Charters of both the United Nations and the Organization of African Unity, calling on member States to refrain from the use or the threat to use force, settle their disputes through peaceful means, respect the independence of all member States and pose no threat to their sovereignty, territorial integrity and the security of their peoples,

Recalling the statement of 6 December 1991, issued by the Secretary-General of the Organization of African Unity on the American and British threats against the Great Jamahiriya as well as his appeal to the parties concerned to exercise self-restraint, seek a peaceful solution through dialogue and other peaceful means in consonance with the principle of international law and respect of the sovereignty of States, and refrain from any act that may impede the legal process,

Reiterating CM/Res.1457 of the fifty-eighth ordinary session of the Council of Ministers held in Cairo from 21 to 26 June 1993 and CM/Res.1527 of the sixtieth ordinary session of the Council of Ministers held in Tunis from 6 to 11 June 1994,

Further recalling the statement issued by the Summit Meeting of the Central Organ of the OAU Mechanism on Conflict Prevention, Management and Resolution held in Cairo on 7 December 1993, endorsing the previous resolution on solidarity with the Great Socialist People's Libyan Arab Jamahiriya and supporting the latter's efforts to secure a peaceful settlement to the crisis within the framework of respect for Libyan national sovereignty and the principles of international law,

Taking into consideration the position of the Great Jamahiriya which condemns all forms of terrorism and denounces those who resort to terrorism or encourage it as well as Libya's willingness to cooperate with every regional or international effort aimed at solving this problem,

Expressing its appreciation for the positive initiative of the Great Jamahiriya to settle the dispute, its acceptance of Security Council resolution 731 (1992), its request to the United Nations Secretary-General to establish a mechanism to implement the said resolution and its complete readiness to cooperate within the initiatives and proposals it offered,

Greatly concerned about the human and material damage that the Libyan Arab people and those of the neighbouring States are suffering as a result of the unjust sanctions imposed on Libya pursuant to United Nations Security Council resolutions 748 (1992) and 883 (1993),

Noting with regret the disregard of the three Western countries for all successive resolutions adopted by the regional organizations expressing their support for a just settlement of the dispute,

Reaffirming the serious danger posed by the Lockerbie affair to peace and security of Africa, particularly the North African and Mediterranean region, if the crisis is not resolved to the satisfaction of all the parties:

1. EXPRESSES APPRECIATION for the declaration issued by the Great Socialist People's Libyan Arab Jamahiriya, condemning terrorism and expressing its readiness to fully cooperate with any party in combating terrorism within the international effort and COMMENDS the responsible and restrained manner in which Libya is dealing with this crisis;

2. EXPRESSES ITS GRAVE CONCERN over the escalation of this crisis and the threat to impose further sanctions or use force as a method in dealing with other States in violation of the Charters of the Organization of African Unity and the United Nations as well as international laws and standards;

3. REAFFIRMS ITS SOLIDARITY with the Great Socialist People's Libyan Arab Jamahiriya and CALLS ON all to refrain from any action that could lead to escalation of tensions, thus causing Libyan Arab Jamahiriya and the neighbouring States further damage;

4. CALLS ON all parties concerned to positively respond to the initiatives for dialogue and negotiations to secure a peaceful settlement to the crisis in conformity with Article 33 of Chapter VI of the Charter of the United Nations which calls for the settlement of disputes through negotiations, mediation and legal procedures and CALLS for a fair trial of the two suspects in a neutral country to be agreed upon by all the parties concerned;

5. DECIDES to set up a Ministerial Committee of the Council composed of the Deans of the five OAU geographical regions, to establish contacts with the parties to the dispute, coordinate efforts and initiatives and open channels for dialogue to secure a peaceful and just settlement to the dispute;

6. REITERATES its appeal to the Security Council to reconsider its resolutions 731 (1992), 748 (1992) and 883 (1993) and to lift the ban on Libya in appreciation for the positive initiatives it has put forward and the resolutions adopted by the regional organizations to settle the dispute and CALLS on the Security Council to adopt a new resolution guaranteeing a fair trial of the two suspects in a place to be agreed upon in order to reveal the truth and do justice to the victims and their families;

7. REQUESTS the Secretary-General of the Organization of African Unity to pursue his efforts to find a speedy solution to this crisis and report on the matter to the sixty-second ordinary session of the Council of Ministers.